

HOWISON & ARNOTT, L.L.P.
A LIMITED LIABILITY PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONSATTORNEYS AT LAW
PATENT AND TRADEMARK MATTERSAttorneys:
JOHN J. ARNOTT, P.C.
ARTHUR BRADY
DAVID C. CAIN
GREGORY M. HOWISON, P.C.Two LINCOLN CENTRE
5420 LBJ Freeway, Suite 660
Dallas, Texas 75240-2318
Telephone (972) 479-0462
Facsimile (972) 479-0464Austin Office:
Telephone (512) 328-3994RECEIVED
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DATE: December 6, 2004
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FAX NUMBER: Centralized Fax: (703) 872-9306
FROM: Howison & Arnott, L.L.P. (Gregory M. Howison)
OUR FILE : PHL-26,686
SERIAL NO.: 10/796,793
ATTACHED: Trans Form (1); Copy of the Notice to File Missing Parts (2);
Copy of the Declaration (3); Copy of the Utility Transmittal as
filed on 3/09/04

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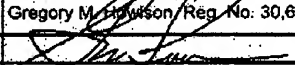
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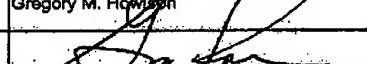
PTO/SB/21 (08-03)

Approved for use through 08/30/2003, OMB 0651-0031
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| | | |
|---|------------------------|----------------|
| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 10/796,793 |
| | Filing Date | March 9, 2004 |
| | First Named Inventor | Philyaw et al. |
| | Art Unit | To Be Assigned |
| | Examiner Name | To Be Assigned |
| Total Number of Pages in This Submission | Attorney Docket Number | PHLY-26,666 |

| ENCLOSURES (Check all that apply) | | |
|---|--|--|
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply Preliminary Amendment <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/Incomplete Application <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Copy of the Declaration; Copy of the Utility Transmittal as originally filed; |
| Remarks copy of the Post Card indicating receipt of the Declaration by the PTO on March 9, 2004. Please note that the requested Oath or Declaration was filed on March 9, 2004, as evidenced by the enclosed documents. | | |
| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | | |
| Firm or Individual name | HOWISON & ARNO, L.L.P. Gregory M. Howison Reg. No. 30,646 | |
| Signature |  | |
| Date | 12/6/04 | |

| CERTIFICATE OF TRANSMISSION/MAILING | | |
|---|---|--------------|
| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. | | |
| Typed or printed name | Gregory M. Howison | |
| Signature |  | Date 12/6/04 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/796,793 | 03/09/2004 | Jeffry Jovan Philyaw | PHLY-26,686 |

25883
HOWISON & ARNOTT, L.L.P.
P.O. BOX 741715
DALLAS, TX 75374-1715

CONFIRMATION NO: 3172

FORMALITIES LETTER



OC0000000013743847

Date Mailed: 09/07/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.138(a).

- The oath or declaration is missing.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

Replies should be mailed to: Mail Stop Missing Parts
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*A copy of this notice **MUST** be returned with the reply.*

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